3

S.B. CIVIL WRIT CONTEMPT PETITION NO.300/2006.
Smt. Chunni Vs. P.L. Agrwal & Anr.

Date of Order :: 05.12.2006.

HON'BLE MR. JUSTICE DINESH MAHESHWARI

Mr. Pradeep Choudhary, for the petitioner.

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Having heard learned counsel for the petitioner and having perused the order dated 27.03.2006 passed by this Court in S.B. Civil Writ Petition No.1425/2006 (Smt. Rami Vs. Mst. Chunni & Ors.) and the order dated 09.10.2006 made by the Arbitrator & Collector, Chittorgarh, this Court is satisfied that no case for adopting any proceedings against the respondents for willful disobedience is made out.

There had been no positive directions against the concerned authorities in the order dated 27.03.2006 so as to make payment to the present petitioner (respondent No.1 in the writ petition). By way of the said order, only the prayer of the writ- petitioner Smt. Rami for allowing payment of amount of compensation to her or for not making payment to respondent No.1 was refused as no case of any likelihood of irreparable injury to her was made out. The Collector by the order dated 09.10.2006 has observed that the matter was

pending in a writ petition; that no stay was granted; and that the title was disputed and, therefore, it does not appear appropriate to make payment of compensation to any particular person.

Without commenting on the merits of the said order dated 09.10.2006, suffice is to say that it cannot be construed as being in willful disobedience of the order dated 27.03.2006 passed by this Court. It goes without saying that the petitioner is free to take her remedy against the said order in accordance with law.

With the observations aforesaid, the contempt petition is rejected.

(DINESH MAHESHWARI), J.

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